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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY RAY BURTON, and
DAWN MCCANN,

Defendants.

No. CR 12-0406 MMC

**STIPULATION AND ~~PROPOSED~~
ORDER CHANGING HEARING DATE
AND EXCLUDING TIME**

The Court has set May 1, 2013, as the date for a further status hearing or a change of plea in this matter. The government will be making plea offers and finalizing discovery in the next day, and the parties will be prepared for changes of plea or motions / trial setting in three weeks, on May 29, 2013.

The parties further request that time between these dates be excluded from any time limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

SO STIPULATED:

MELINDA HAAG
United States Attorney

DATED: April 30, 2013

/s/

KEVIN J. BARRY
Assistant United States Attorney

DATED: April 30, 2013

/s/

JULIA MEZHINSKY JAYNE
Attorney for JOHNNY RAY BURTON

DATED: April 30, 2013

/s/

GEORGE BOISSEAU
Attorney for DAWN MCCANN

~~PROPOSED~~ ORDER

For the reasons stated above, the Court sets a change of plea or motions / trial setting date for May 29, 2013. It also finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from May 1, 2013 through May 29, 2013, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). The failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, resulting in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: April 30, 2013



THE HONORABLE MAXINE M. CHESNEY
United States District Judge